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PATENT
Customer No. 22,852
Attorney Docket No. 03042.0060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark John RICHES

Serial No.: 09/701,559

Filed: February 5, 2001

For: IMAGING ARRANGEMENT AND
METHOD

9/2/02
Group Art Unit: 2878
Examiner: Thanh X. Luu

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

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RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated July 26, 2002, the period for reply having been extended to September 26, 2002, by a petition for a one month extension of time and payment of the \$110 fee filed herewith, the Examiner required restriction under 35 U.S.C. § 121 between Group I, claims 1-15 characterized by the Examiner as being drawn to an optical device; Group II, claims 16-23 characterized by the Examiner as being drawn to a waveguide; Group III, claims 24-29 characterized by the Examiner as being drawn to a method of manufacturing the waveguide; and Group IV, claims 30-33 characterized by the Examiner as being drawn to an electro-optic device. Applicants provisionally elect to prosecute Group I, claims 1-15 with traverse.

Particularly, Applicants assert that Group IV, claims 30-33 should be examined with Group I claims 1-15. Claim 33 has been amended to depend from claim 2, as

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shown in the accompanying Preliminary Amendment. Accordingly, claim 33 should be examined with claims 1-15 in Group I.

Regarding claims 30-32, § 803 of the M.P.E.P. states that "[i]f the search and examination of the entire application can be made without serious burden, the examiner must examine it on the merits" M.P.E.P. § 803 (emphasis added). Applicants assert that examining claims 1-15 and 33 with claims 30-32 would not impose a serious burden on the Examiner, because claims 1-15 and 33 and claims 30-32 comprise an electro-optic device. The Examiner must search the same documents for the device recited in claims 1-15 and 33 as the device recited in claims 30-32. The set of relevant documents for claims 30-32 would be a subset of the relevant documents for claim 1-15 and 33. Accordingly, applicants respectfully request that the Office examine claims 1-15 with claims 30-33.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 26, 2002

By: Tara L. Bleech
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PRELIMINARY AMENDMENT

Prior the examination of the above application, please amend this application as follows:

IN THE CLAIMS:

Please cancel claims 16-29 without prejudice or disclaimer, amend claims 7-9, 13, 14, and 33, and add new claim 34, as follows:

7. (Amended) An electro-optic device as claimed in claim 5, wherein the solid state imager further comprises erasing means for erasing an image corresponding to one of the plurality of beams.

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